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Written statement* submitted by Coordination des Associations et des Particuliers pour la Liberté de Conscience, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2018]

* Issued as received, in the language(s) of submission only.

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Protection for the Non-Muslim Religious Minorities of Afghanistan

1. INTRODUCTION

1.1 We are a NGO that specializes in the freedom of religious minorities. This statement reports to the UN on the urgent need to protect the forgotten non-Muslim religious minorities of Afghanistan – the Sikhs and Hindus of Afghanistan. We make this statement jointly with UNITED SIKHS, an international humanitarian and advocacy NGO that has been associated with the Department of Public Office of the United Nations, since 2007.

1.2 On 1 July 2018, in an apparently targeted suicide bombing in Jalalabad, 19 people were killed, including 12 Sikh leaders and one Hindu, who were waiting to meet the Afghan President to raise issues about their places of worship and safety.1

1.3 On 5 August, UNITED SIKHS met the families of the victims and survivors of the 1 July suicide bombing and found that the renewed violence had escalated a climate of terror towards the non-Muslim minorities of Afghanistan. They feel targeted and vulnerable as the men who were killed were community leaders who acted as vanguards.

1.4. The three main areas of concern for Afghani Sikhs and Hindus are:

(a) safety and security,

(b) religious freedom, and

(c) education and livelihood.

2. HISTORY

2.1 Afghanistan, which has been described as a land of "rocks, sands, deserts, ice and snow", once had hundreds of thousands of Sikhs and Hindus who lived as thriving businesspeople in every corner of Afghanistan and controlled most of the trade. Sikhs lived there since the founder of the Sikh religion, Guru Nanak Sahib, visited Afghanistan, more than 500 years ago.

2.2 The Soviet intervention of 1979 and the Civil War of 1992 saw their mass exodus to neighbouring India, Iran and to a lesser extent, the West. Khajinder Singh, author of 'Sikhs of Kabul' (2001), says that in 1992 there were about 60,000 Sikhs in Afghanistan. Today, no more than 2000 Sikhs and a few Hindus, constituting under 0.3% of the population, remain.

2.3 These people remain in Afghanistan because they did not have the resources to leave and/or they felt duty-bound to stay and protect the 65 historical Sikh Gurdwaras (place of worship) and 27 Hindu temples from the Taliban.

3. SAFETY AND SECURITY

3.1 In 2003, NATO took the lead of the International Security Assistance Force (**ISAF**) in Afghanistan. Mandated by the United Nations, ISAF's primary objective was to ensure Afghanistan would never again become a safe haven for terrorists. At the end of 2014, the ISAF mission ended.

3.2 The 1 July suicide bombing killed 13 community leaders of non-Muslim minorities and reignited a climate of desperation and terror. On 11 August, more than 1,000 Taliban fighters stormed Ghazni leaving an estimated 250 civilians dead. This was followed by another apparently targeted suicide bombing on 15 August at an education centre in Kabul, which left 48 people dead and 67 injured.

3.3 These events demonstrate a very recent and sudden escalation of violence and terror fueled by religious ideology and inflicted mainly upon the non-Muslim minority.

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1 https://www.bbc.com/news/world-asia-44677823

4. RELIGIOUS FREEDOM

4.1 Although the instability in Afghanistan has taken a disproportionately high toll on its religious minority communities, the issue does not appear in scholarship. The focus remains narrowly fixed on the strife between the Shia and Sunni sects of Islam and this perpetuates the assumption that Afghanistan is devoid of non-Muslims. The prevalence of State narratives and absence of first-person accounts from the Afghan Sikh and Hindu community has meant that the violation of religious freedom of non-Muslim religious minorities in Afghanistan has not been fully recognized and therefore remains incapable of being addressed.2

5. DEMOGRAPHY, RIGHTS, STATE AND SOCIETAL TREATMENT AND ATTITUDES

5.1 Due to the paucity of firsthand accounts of non-Muslim religious minorities, State narratives obtained from official or representative sources contradict the common knowledge held by the said minorities. For example, the USSD IRF 2015 Report states there were 11 Gurdwaras in Afghanistan and that *'Hindu and Sikh sources said the law did not hinder their communities from building places of worship, nor did the law restrict clergy from training other Hindus and Sikhs to become clergy'.*

5.2 However, a memo of 6 August to the United States Commission on International Religious Freedom **(USCIRF)** from the Gurdwara Guru Nanak Darbar, (Afghan Ekte Cultural Society) of the United Kingdom of Great Britain and Northern Ireland **(Memo)**, says there are 64 Sikh Gurdwaras and 27 Hindu Mandirs in Afghanistan.

5.3 The recent spate of terror attacks has ignited the very reasonable fear of a return of societal ill-treatment and discrimination against Afghani Sikhs and Hindus as experienced during the height of the Taliban regime. The Memo described life under the Taliban as follows:

- The situation in Afghanistan began to change in April 1992 when the Mujaheddin came to Afghanistan. The Taliban took over the movement in 1996 at Kandhar and moved to Kabul in 1997.
- The Taliban wanted to make Afghanistan an Islamic country by forcefully converting Sikhs/Hindus into the Islam faith.
- The Taliban began to inflict religious persecution on the Afghan Sikhs in numerous ways.
- Every Friday, Sikhs were not allowed to open their shops. They were expected to join prayers with the Taliban in Mosques.
- Those who resisted, were physically tortured and beaten up.
- Young Sikhs were not allowed to go to school. Their long hair was pulled and they were humiliated.
- Sikhs were not permitted to go to their religious places for daily prayers. Devoted Sikhs began to spend most of their times with their families in very limited area of the Sikh Gurdwara compound.
- The young Sikh and Hindu girls were kidnapped and were forced to marry Muslims. Taliban usually paid for brides.
- Sikhs were not allowed to cremate their dead ones openly. Sadly, they were forced to cremate within the Gurdwara compound.
- The authorities wouldn't entertain any complaints against Muslims. If found out, Sikhs were punished even more for complaining.

5.4 Even after the Taliban were pushed back by the NATO–ISAF troops, Sikhs and Hindus continue to receive adverse societal treatment and attitude.

5.5 Pritpal Singh, an Afghan Sikh living in the UK, in his documentary 'Mission Afghanistan', based on his travels and interviews with Sikhs and Hindus in Afghanistan in 2012,3 describes life in Afghanistan as follows:

> *"There is fear and desperation in their empty eyes. They have no livelihood and no work; and their growing children receive no education. Their daughters do not have much hope of finding suitable*

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2 Asha Marie Kaur Sawhney: Stories from Delhi of Afghan Sikh Refugees' Forced Migration, Survival, and Adaptation to a New Land

3 https://www.youtube.com/watch?v=0h11jAyO0zg

matches; and they are not certain where the next meal would come from. Many women and children live in Gurdwaré, (Sikh place of worship) relying on the free kitchen. These are Sikh women with children, widows and families left behind in a war-riven Afghanistan. The situation of women is made worse because women are confined to walled enclosures and cannot go out to work. Even Gurdwaré of great historical significance are in a state of neglect and disrepair."

5.7 UK writer Inderjeet Singh says in his book awaiting publication, *"Rawail Singh4 summed up the miseries of the community (in an Al Jazeera interview in 2016): "There is only so much a community can tolerate. We can't practice our faith openly, our children can't go to school because of harassment; we can't even cremate our dead without being stoned by the public."* 5

6. ASYLUM

6.1. In the UK, Afghan Sikh and Hindu asylum seekers do not qualify for asylum under the Refugee Convention. The UK Home Office **Country Policy and Information Note on Afghanistan: Hindus and Sikhs** states, *"Case law has established that, in general, members of the Sikh and Hindu communities in Afghanistan do not face a real risk of persecution or ill- treatment such as to entitle them to a grant of international protection on the basis of their ethnic or religious identity, per se. Neither can it be said that the cumulative impact of discrimination suffered by the Sikh and Hindu communities in general reaches the threshold of persecution."*

6.2 Notably that Policy, dated July 2018, fails to take into account the recent escalation of the problem owing to the apparently targeted attacks on Afghani Sikh and Hindu communities on 1 July 2018.

6.2 These recent events demonstrate that Afghani Sikhs and Hindus are subjected to such a level of discrimination and ill-treatment such as to amount to a very real and immediate risk of persecution based on ethnic and religious identity. By international standards, they are desperately in need of international protection.

6.2 As one widow of the suicide bombing of 1 July told UNITED SIKHS' International Legal Director, Mejindarpal Kaur - *"We were always shaken whenever there was a terror attack. But this time we have been uprooted. We must leave now because they have killed our husbands and our community leaders."*

Respectfully submitted.

Paris, Aug 22, 2018

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4 Rawail Singh was one of the 12 Sikh leaders killed in the 1 July suicide bombing in Jalalabad

5 https://www.aljazeera.com/indepth/features/2016/12/decline-afghanistan-hindu-sikh-communities-161225082540860.html